

Edward O. Sassower, P.C.
Joshua A. Sussberg, P.C.
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Steven J. Reisman
KATTEN MUCHIN ROSENMAN LLP
575 Madison Avenue
New York, New York 10022
Telephone: (212) 940-8800
Facsimile: (212) 940-8776

-and-

Chad J. Husnick, P.C.
W. Benjamin Winger (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

Proposed Co-Counsel for the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Chapter 11
)	
BARNEYS NEW YORK, INC., <i>et al.</i> , ¹)	Case No. 19-36300 (CGM)
)	
Debtors.)	(Jointly Administered)
)	

**AGENDA FOR HEARING TO BE HELD
SEPTEMBER 4, 2019 AT 10:30 A.M. (PREVAILING EASTERN TIME)**

Time and Date of Hearing: September 4, 2019, at 10:30 a.m. (prevailing Eastern Time)

Location of Hearing: The Honorable Judge Cecelia G. Morris
United States Bankruptcy Court for the Southern District of New York
355 Main Street
Poughkeepsie, New York 12601

Copies of Motions: A copy of each pleading can be viewed on the Court's website at <http://www.nysb.uscourts.gov> and the website of the Debtors' notice and claims agent, Stretto, at <http://case.stretto.com/barneys>. Further

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Barneys New York, Inc. (1818); Barney's Inc. (2980); BNY Catering, Inc. (4434); BNY Licensing Corp. (4177); and Barneys Asia Co. LLC (0819). The location of the Debtors' service address is 575 Fifth Avenue, New York, New York 10017.

information may be obtained via email at barneys@stretto.com, or by calling (855) 202-8711 (for domestic or Canadian callers), or internationally at (949) 346-3310.

II. Initial Case Conference

1. Order Scheduling Initial Case Conference [Docket No. 78].

III. Matters To Be Heard.

2. ***Equity Trading Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness With Respect to Common Stock and (II) Granting Related Relief [Docket No. 5].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness With Respect to Common Stock and (II) Granting Related Relief [Docket No. 45].
- B. Notice of Second Day Hearing [Docket No. 67].
- C. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

3. ***Case Management Motion.*** Debtors' Motion for Entry of Interim and Final Orders Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 6].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 52].
- B. Notice of Second Day Hearing [Docket No. 67].

Status: The hearing on this matter is going forward.

4. ***Cash Management Motion.*** Debtors' Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate their Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Granting Administrative Expense Status to Postpetition Intercompany Balances, and (III) Granting Related Relief [Docket No. 8].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to (A) Continue to Operate their Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions, (II) Granting Administrative Expense Status to Postpetition Intercompany Balances, and (III) Granting Related Relief [Docket No. 47].
- B. Notice of Second Day Hearing [Docket No. 67].
- C. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

5. ***Taxes Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 9].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 54].
- B. Notice of Second Day Hearing [Docket No. 67].

Status: The hearing on this matter is going forward.

6. ***Insurance Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Satisfy Obligations Related to Insurance Policies, (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (C) Maintain the Surety Bonds, (D) Honor the Terms of the Financing Agreement and Pay Premiums Thereunder, and (E) Enter into New Financing Agreements in the Ordinary Course of Business and (II) Granting Related Relief [Docket No. 10].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to (A) Satisfy Obligations Related to Insurance Policies, (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (C) Maintain the Surety Bonds, (D) Honor the Terms of the Financing Agreement and Pay Premiums Thereunder, and (E) Enter into New Financing Agreements in the Ordinary Course of Business and (II) Granting Related Relief [Docket No. 51].
- B. Notice of Second Day Hearing [Docket No. 67].
- C. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

7. ***Wages Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Employee Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Docket No. 11].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Employee Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Docket No. 56].
- B. Notice of Second Day Hearing [Docket No. 67].
- C. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

8. ***All Vendors Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Payment of (A) Prepetition Claims of Lien Claimants, (B) Foreign Vendor Claims, (C) Section 503(B)(9) Claims, and (D) Critical Vendor Claims, and (II) Granting Related Relief [Docket No. 13].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Payment of (A) Prepetition Claims of Lien Claimants, (B) Foreign Vendor Claims, (C) Section 503(B)(9) Claims, and (D) Critical Vendor Claims, and (II) Granting Related Relief [Docket No. 53].
- B. Notice of Second Day Hearing [Docket No. 67].
- C. First Sealed Notice Regarding Critical Vendors [Docket No. 141].
- D. Second Sealed Notice Regarding Critical Vendors [Docket No. 182].
- E. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

9. ***Customer Programs Motion.*** Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Maintain and Administer their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (B) Granting Related Relief [Docket No. 14].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (A) Authorizing the Debtors to Maintain and Administer their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (B) Granting Related Relief [Docket No. 59].
- B. Notice of Second Day Hearing [Docket No. 67].

Status: The hearing on this matter is going forward.

10. ***DIP Motion.*** Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors and Debtors in Possession to Obtain Junior Postpetition Financing, (B) Authorizing Use of Cash Collateral, (C) Granting Liens and Superpriority Claims, (D) Granting Adequate Protection to the Prepetition Secured Parties, (E) Modifying the Automatic Stay, (F) Scheduling a Final Hearing, and (G) Granting Related Relief [Docket No. 20].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).
The objection deadline for the U.S. Trustee was extended to August 29, 2019.
The objection deadline for the Official Committee of Unsecured Creditors was extended to August 30, 2019.

Formal Responses Received:

- A. Response and Reservation of Rights of MPH Pacific Place, LLC to Debtors' Motions Regarding Store Closing Sales and Amended Interim DIP Financing Order [Docket No. 109].
- B. Notice of Withdrawal of Response and Reservation of Rights of MPH Pacific Place, LLC to Debtors' Motions Regarding Store Closing Sales and Amended Interim DIP Financing Order [Docket No. 120].
- C. Reservation of Rights of LVMH Moet Hennessy Louis Vuitton Inc. and Each of Its Affiliated Brands, Regarding Debtors' Motion for Entry of a Final Order Authorizing Debtor in Possession Financing [Docket No. 180].
- D. United States Trustee's Objection to Final Approval of the Consignment Facility in the Amended and Restated Debtor in Possession Secured Promissory Note, Between the Petitioners and the DIP Lenders (The "Brigade Financing Agreement") [Docket No. 186].
- E. Objection of Official Committee of Unsecured Creditors to Entry of Final Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, and 507 and Fed. R. Bankr. P. 2002, 4001 and 9014 (I) Authorizing Debtors and Debtors in Possession to Obtain Post-Petition Financing, (II) Granting Liens and Super-Priority Claims, (III) Authorizing Payment of Prepetition Secured Obligations, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Modifying the Automatic Stay, and (VI) Granting Related Relief [Docket No. 187].
- F. Response and Reservation of Rights of Wells Fargo Bank, National Association Concerning Objection by Official Committee of Unsecured Creditors to Debtors' Motion for Final Approval of DIP Financing Facility [Docket No. 193].

- G. Debtors' Omnibus Reply in Support of Postpetition Financing and Consultant Agreement Relief Requested [Docket No. 194].

Related Documents:

- H. Notice of Adjournment of Hearing re: Motion to Authorize/Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors and Debtors in Possession to Obtain Junior Postpetition Financing, (B) Authorizing Use of Cash Collateral, (C) Granting Liens and Superpriority Claims, (D) Granting Adequate Protection to the Prepetition Secured Parties, (E) Modifying the Automatic Stay, (F) Scheduling a Final Hearing, and (G) Granting Related Relief [Docket No. 37].
- I. Notice of Filing of Revised Interim Order (A) Authorizing Debtors and Debtors in Possession to Obtain Junior Lien Postpetition Financing, (B) Authorizing Use of Cash Collateral, (C) Granting Liens and Super Priority Claims, (D) Granting Adequate Protection to Prepetition Secured Parties, (E) Modifying the Automatic Stay, (F) Scheduling a Final Hearing, and (G) Granting Related Relief [Docket No. 38].
- J. Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, and 507 and Fed. R. Bankr. P. 2002, 4001 and 9014 (I) Authorizing Debtors and Debtors in Possession to Obtain Junior Lien Postpetition Financing, (II) Authorizing Use of Cash Collateral, (III) Granting Liens and Super Priority Claims, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Docket No. 49].
- K. Notice of Second Day Hearing [Docket No. 67].
- L. Debtors' Ex Parte Motion for Entry of an Order (I) Shortening the Notice and Objection Period for the Debtors' (A) Amended DIP Motion and (B) Store Closing Motion, and (II) Granting Related Relief [Docket No. 88].
- M. Debtors' Motion for Entry of an Amended Interim DIP Order on Shortened Notice [Docket No. 89].
- N. Omnibus Order Shortening the Notice and Objection Period for the Debtors' (A) Amended DIP Motion and (B) Store Closing Motion, and (II) Granting Related Relief [Docket No. 98].
- O. Notice of Filing of Second Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, and 507 and Fed. R. Bankr. P. 2002, 4001 and 9014 (I) Authorizing Debtors and Debtors in Possession to Obtain Post-Petition Financing, (II) Granting Liens and Super-Priority Claims, (III) Authorizing Payment of Prepetition Secured Obligations, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief

[Docket No. 122].

- P. Second Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, and 507 and Fed. R. Bankr. P. 2002, 4001 and 9014 (I) Authorizing Debtors and Debtors in Possession to Obtain Post-Petition Financing, (II) Granting Liens and Super-Priority Claims, (III) Authorizing Payment of Prepetition Secured Obligations, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Docket No. 127].

Status: The hearing on this matter is going forward.

11. ***Lease Rejection Motion.*** Debtors' Omnibus Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases of Nonresidential Real Property, Effective as of the Rejection Date, and (B) Abandonment of Any Personal Property Related Thereto, and (II) Granting Related Relief [Docket No. 12].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Notice of Adjournment of Hearing Re: Motion to Authorize/Debtors' Omnibus Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases of Nonresidential Real Property, Effective as of the Rejection Date, and (B) Abandonment of Any Personal Property Related Thereto, and (II) Granting Related Relief [Docket No. 35].
- B. Notice of Second Day Hearing [Docket No. 67].
- C. Notice of Filing of Amended Schedule of Rejected Unexpired Leases of Nonresidential Real Property [Docket No. 148].
- D. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

12. ***Store Closing Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Enter Into and Perform Under the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, (III) Approving the Continuation of Related Non-Insider Severance Programs, and (IV) Granting Related Relief [Docket No. 90].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).
The objection deadline for the U.S. Trustee was extended to August 30, 2019.

Formal Responses Received:

- A. United States Trustee's Objection to Final Approval of the Consultant Agreement, Between the Petitioners and Consultants Great American Group, LLC, and Tiger Capital Group in the Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Enter into and Perform Under the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, (III) Approving the Continuation of Related Non-Insider Severance Programs, and (IV) Granting Related Relief [Docket No. 190].
- B. Debtors' Omnibus Reply in Support of Postpetition Financing and Consultant Agreement Relief Requested [Docket No. 194].

Related Documents:

- C. Debtors' Ex Parte Motion for Entry of an Order (I) Shortening the Notice and Objection Period for the Debtors' (A) Amended DIP Motion and (B) Store Closing Motion, and (II) Granting Related Relief [Docket No. 88].
- D. Omnibus Order Shortening the Notice and Objection Period for the Debtors' (A) Amended DIP Motion and (B) Store Closing Motion, and (II) Granting Related Relief [Docket No. 98].
- E. Notice of Filing of Revised Proposed Interim Order (I) Authorizing the Debtors to Enter into and Perform Under the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, (III) Approving the Continuation of Related Non-Insider Severance Programs, and (IV) Granting Related Relief [Docket No. 121].
- F. Interim Order (I) Authorizing the Debtors to Enter into and Perform Under the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, (III) Approving the Continuation of Related Non-Insider Severance Programs, and (IV) Granting Related Relief [Docket No. 132].
- G. Notice of Filing of Revised Proposed Final Order (I) Authorizing the Debtors to Enter Into and Perform Under the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, (III) Approving the Continuation of Related Non-Insider Severance Programs, and (IV) Granting Related Relief [Docket No. 146].
- H. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

13. ***Ordinary Course Professionals.*** Debtors' Motion for the Retention and Compensation of Professionals Utilized in the Ordinary Course of Business [Docket No. 152].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

14. ***Assumption and Rejection Procedures.*** Debtors' Motion for Entry of an Order (I) Authorizing and Approving Procedures to Reject or Assume Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Docket No. 153].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

15. ***Bar Date Motion.*** Debtors' Motion for Entry of an Order (A) Setting Bar Dates for Submitting Proofs of Claim, (B) Approving Procedures for Submitting Proofs of Claim, (C) Approving Notice Thereof, and (D) Granting Related Relief [Docket No. 154].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Omnibus Notice of Filing of Revised Proposed Final Orders [Docket No. 191].

Status: The hearing on this matter is going forward.

IV. Adjourned Matters

16. ***Creditor Matrix Motion.*** Debtors' Motion Seeking Entry of an Order (I) Authorizing the Debtors to File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (II) Authorizing the Debtors to File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Certain Personally Identifiable Information for the Debtors' Employees, (IV) Approving the Form and Manner of Notifying Creditors of Commencement, and (V) Granting Related Relief [Docket No. 4].

Objection Deadline: August 28, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (II) Authorizing the Debtors to File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Certain Personally Identifiable Information for the Debtors' Employees, (IV) Approving the Form and Manner of Notifying Creditors of Commencement, and (V) Granting Related Relief [Docket No. 50].
- B. Notice of Second Day Hearing [Docket No. 67].

Status: The hearing on this matter has been adjourned to a date yet to be determined.

Dated: September 2, 2019
New York, New York

/s/ Joshua A. Sussberg, P.C.

Edward O. Sassower, P.C.

Joshua A. Sussberg, P.C.

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

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-and-

Chad J. Husnick, P.C.

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Chicago, Illinois 60654

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575 Madison Avenue

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